

1 NICHOLAS A. TRUTANICH  
United States Attorney  
2 District of Nevada  
Nevada Bar #13644  
3 BIANCA R. PUCCI  
Assistant United States Attorney  
4 501 Las Vegas Blvd. South, Suite 1100  
Las Vegas, Nevada 89101  
5 Phone: (702) 388-5080  
[Bianca.Pucci@usdoj.gov](mailto:Bianca.Pucci@usdoj.gov)

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
<b>Feb 21</b> <del>MAR 3 2020</del>	
<b>CLERK US DISTRICT COURT DISTRICT OF NEVADA</b>	
BY: _____	DEPUTY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
VS.  
AARON WADE FERGUSON,  
Defendant

Case No. 2:20-mj-56-VCF

order

**Stipulation to Continue Preliminary Hearing**

14 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich,  
15 United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, counsel for the  
16 United States of America, and Rene L. Valladares, Federal Public Defender, and Rebecca Levy,  
17 Assistant Federal Public Defender, counsel for Aaron Wade Ferguson, that the preliminary  
18 hearing currently scheduled February 24, 2020, be vacated and set to a date and time convenient  
19 for this court but no earlier than thirty (30) days.

20 The Stipulation is entered into for the following reasons:

21       1. The additional time requested herein is sought to permit defendant time to review  
22 discovery and conduct investigation in this case in order to determine whether there are any issues  
23 that must be litigated prior to the case proceeding to preliminary hearing or otherwise.

2. The defendant is incarcerated and does not object to the continuance.

1       3.     The parties agree to the continuance.

2       4.     The additional time requested herein is not sought for purposes of delay, but merely  
3 to allow counsel for the defendant sufficient time within which to be able to effective and complete  
4 investigation of the discovery materials that will be provided by the government.

5       5.     Denial of this request for continuance would waste limited judicial resources.

6       Additionally, denial of this request for continuance could result in a miscarriage of  
7 justice. The additional time requested by this stipulation is excludable in computing the time  
8 within which the preliminary hearing herein must commence pursuant to the Federal Rules of  
9 Criminal Procedure 5.1(d), and the Speedy Trial Act, § 3161(h)(7)(A), considering the factors  
10 under Title 18, United States Code §§ 3161(h)(7)(B)(i) and (iv).

11      6.     This is the First Stipulation to continue the preliminary hearing filed herein.

13      DATED: February 20, 2020

15      RENE L. VALLADARES  
16      Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

17      */s/ Rebecca Levy*

18      By \_\_\_\_\_  
19      REBECCA LEVY  
20      Assistant Federal Public Defender  
21      Attorney for Aaron Wade Ferguson

*/s/ Bianca R. Pucci*

By \_\_\_\_\_  
BIANCA R. PUCCI  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

## AARON WADE FERGUSON,

Defendant.

Case No. 2:20-mj-56-VCF

## Order

## **FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The additional time requested herein is sought to permit defendant time to review discovery and conduct investigation in this case in order to determine whether there are any issues that must be litigated prior to the case proceeding to preliminary hearing or otherwise.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the defendant sufficient time within which to be able to effective and complete investigation of the discovery materials that will be provided by the government.

5. Denial of this request for continuance would waste limited judicial resources. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this stipulation is excludable in computing the time within which the preliminary hearing herein must commence pursuant to the Federal Rules of Criminal Procedure 5.1(d), and the Speedy Trial Act, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and (iv).

6. This is the First Stipulation to continue the preliminary hearing filed herein.

## **CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice.

The continuance sought herein is excusable under the Federal Rules of Criminal Procedure 5.1(d), and the Speedy Trial Act, title 18, United States Code, Section § 3161(h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

## ORDER

**IT IS THEREFORE ORDERED** that the preliminary hearing is continued to March 31, 2020, at 4:00 pm in Courtroom 3D.

DATED this 21<sup>st</sup> day of February 2020.

---

**UNITED STATES MAGISTRATE JUDGE**

---

CAM FERENBACH  
U.S. MAGISTRATE JUDGE